

**REMARKS**

This paper responds to the Office Action mailed March 3 2000 with reference to the above identified application. By this response claims 9, 10 and 11 are amended. The informality in claim 11 has been rectified. Claim 12 is deleted. Claims 3, 4 and 6 to 11 are in the application.

Claims 3, and 9 to 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by Barnes et al. Claims 4, 6 and 7 to 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Barnes et al. in view of Nounin et al. These rejections are respectfully traversed.

The present invention addresses the problem of incompatibility between mobile telephone operating protocols. For example, it is a common experience that European users of mobile terminals conforming to the European GSM standard are unable to use their terminals on the North American continent. Similarly, users of North American terminals are unable to use those terminals on the European continent. A possible solution to this problem is the future introduction of a fully global communications system employing a large number of low Earth orbit satellites which effectively function as base stations serving those mobile terminals currently within their 'footprint' area. However, while such a system is feasible, the huge infrastructure costs required for its establishment have so far deterred effective deployment. Applicant has avoided the need for deployment of a global e.g. satellite system by providing a multimode interface facility that can be operated via a terrestrial network to enable users having different protocol terminals to communicate with the network. In Applicant's arrangement, the base stations are configurable via stored software to support a plurality of protocols so that the network is enabled to deliver service to a variety of mobile terminal types. The effect of Applicant's invention is to make the base station appear to a "foreign" mobile terminal as a base station from the home network of that mobile terminal.

Barnes et al. do not address the problem of accommodating various mobile terminal protocols in a common network. The problem addressed by Barnes et al. is that of reducing the initial infrastructure investment required to establish a mobile communication system. The whole teaching of Barnes et al. is the provision of a modular arrangement that, at a relatively low cost, permits initial system operation with a small number of subscribers, but which is capable of being scaled by the addition of further modules to accommodate increasing numbers of subscribers. Examiner has

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suggested that figure 1 of the Barnes et al. disclosure shows the use of soft radio units and the downloading of an operational protocol from the base station controller. Such an interpretation of the teaching of Barnes et al. requires reading far more into the document than is actually disclosed. There is nothing to suggest that there is any choice of software packages, nor is there any suggestion of determining the protocol requirement of a mobile terminal and then selecting a software package that will operate the base station to match that protocol requirement.

In the Barnes et al. arrangement, a mobile terminal can roam at will within the network, but there is no provision for allowing that terminal to roam beyond the network, nor is there any provision for providing service to "foreign" terminals that may have roamed into the network as is envisaged in Applicant's invention. There is no teaching in the Barnes disclosure of individual base stations that are configurable into different protocol modes, by the downloading of appropriate software, to deliver service to mobile terminals having a variety of different protocols. Barnes et al. neither teach nor suggest the concept of base stations that can each be configured, by the downloading of software, to operate in any one of a variety of protocols in order to match the protocol of a mobile terminal with which communication is to be established. There is no suggestion that the Barnes et al. network could deliver communications services to terminals other than the particular group of terminals registered with the network as their home network. The content of the Barnes et al. specification thus provides no disclosure of the present invention as defined by the amended claims submitted herewith. Further, Barnes et al. provide no teaching that would in any way direct the notional skilled reader towards the present invention.

Nounin et al. teach a radio communication system that can transport various forms of information including speech, video and text. These different information forms require corresponding different protocols for their transport across the network, and Nounin et al. address this problem by providing each terminal with a number of physical and logical addresses for the various modes of communication. The first physical and logical addresses are used to set up a call, and further physical and logical addresses are used in the establishment of data channels. Protocols for these data channels are not transmitted until after the call has been set up. Further, in the Nounin et al. arrangement, the transmission and use of a particular transport protocol cannot take place until the initial call set up has been completed. There is no teaching in the Nounin et al. disclosure that would in any way suggest a mechanism for accommodating mobile terminals having different operating protocol requirements and for satisfying those

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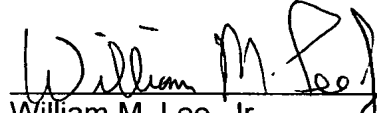
requirements in the call set up process. Whether taken alone or taken together with Barnes et al. discussed above, the Nounin et al. disclosure provides nothing that would direct the reader towards the present invention.

Applicant has studied the prior art made of record and not relied on, but has come to the conclusion that this art does not prejudice the patentability of the amended claims submitted herewith. Examiner's action in drawing this art to Applicant's attention is however appreciated.

In view of the foregoing, it is believed that this application, as amended, is now in condition for allowance. The examiner's further and favorable reconsideration in that regard is urged.

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Respectfully submitted,



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